



## Smoke Free Policy

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DOCUMENT CONTROL		POLICY NO	
<b>Policy Group</b>	Smoke Free Grounds		
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## **GENERAL SECTION**

### **1. Statement**

1.1 Smoking is not permitted inside the buildings or on the grounds of NHS Dumfries & Galloway premises. This will ensure staff, patients and visitors are protected from the dangers of second hand smoking while on NHS Dumfries and Galloway premises and grounds.

1.2 This policy links with our purpose of *'reducing health inequalities and supporting a population who have more control over all aspects of their life and health and wellbeing'* and with our values of being *'compassionate, open and respectful'*.

### **2. Introduction**

2.1 Everyone working, visiting or living in NHS Dumfries and Galloway premises/grounds has the right to be in a completely smoke-free environment. NHS Dumfries and Galloway have a duty to protect people from harm while in its premises/grounds. Currently many staff, patients and visitors to NHS Dumfries and Galloway premises are exposed to second hand smoke because smoking is still permitted within the grounds.

2.2 Second hand smoke causes cancer, coronary heart disease and respiratory disease as well as a number of conditions including asthma, middle ear infections and migraines.

2.3 Smoking poses a fire risk on NHS premises and also has cost implications for cleaning up cigarette ends.

2.4 The policy does not intend to dictate whether people smoke, but to ensure that smoking does not take place on NHS Dumfries and Galloway premises/grounds. NHS Dumfries & Galloway is committed to providing support for smokers who want help with giving up.

2.5 NHS Dumfries & Galloway recognises that this policy represents a large cultural change and may attract some opposition. However, the evidence of the effects of second hand smoke is irrefutable and many employers have moved to smoke free grounds with minimal disruption.

2.6 In addition, as a provider of healthcare NHS Dumfries and Galloway should be a leading example and encouraging other employers to move to smoke free grounds.

### **3. Aims of this policy**

3.1 To provide a safe and healthy environment for all staff, patients and the public who access NHS Dumfries & Galloway premises/grounds.

3.2 To ensure no-one is put at risk from second hand smoking while on NHS Dumfries & Galloway premises/grounds and that staff are protected from second hand smoking during home visits.

3.3 To provide an environment conducive to health and ensure that all staff, patients and the public who want to give up smoking are appropriately supported.

3.4 To provide a clear and consistent message about the dangers of second hand smoke and as such smoking will no longer be tolerated on NHS Dumfries and Galloway premises/grounds.

3.5 To act as an exemplar organisation which challenges the normalisation of smoking in all its forms.

#### **4. Policy Context**

4.1 Public Buildings – following the introduction of the Smoking, Health and Social Care (Scotland) Act 2005 it became a legal requirement for Scottish employers to ban smoking in public places from 26th March 2006.

4.2 NHS Grounds – there is currently no legislation with regards to smoking on NHS grounds, however:

- The National Tobacco Control Strategy (2013 – 2018) which was launched in March 2013 contains the following action relating to smoke-free NHS grounds:

*All NHS Boards will implement and enforce smoke-free grounds by 31 March 2015. Smoke-free status means the removal of any designated smoking areas in NHS Board buildings or grounds. We will work with Boards to raise awareness of the move to smoke-free hospital grounds. This action will not apply to mental health facilities.*

- CEL 01 (2012) Health Promoting Health Service: Action in Hospital Settings contains an action regarding smoke-free NHS grounds:

*To commit to the development and implementation of more comprehensive organisational tobacco policies. Wherever possible, consideration should be given to going beyond current legal requirements and moving towards the goal of being completely smoke-free.*

- The Dumfries and Galloway Tobacco Control Strategy:

*The achievement of smoke free grounds is a key action for NHS Dumfries and Galloway detailed in the local Tobacco Control Strategy.*

#### **5. Scope of the Policy**

5.1 This policy covers all NHS Dumfries & Galloway premises except those identified in the exceptional circumstances list in Section 6.

The policy therefore covers:

- All buildings e.g. offices, hospitals, health centres, cabins and staff residencies and communal areas
- All vehicles e.g. pool cars, lease and privately owned cars, light and heavy goods vehicles
- All grounds e.g. gardens, walkways, car parks, staff residential communal areas

The policy applies to:

- All NHS Dumfries & Galloway employees
- The wider NHS family e.g. contractors, students, voluntary staff, suppliers and deliverers of goods
- All patients, including out-patients, day-patients, in-patients and long stay patients (but currently not Mental Health Inpatient Services – see section 6.1)
- All members of the public whose work, study or personal circumstances brings them to NHS Dumfries & Galloway premises and grounds

## **E-cigarettes**

5.2 In order not to undermine recent advances in public health policy, e-cigarettes should be treated in exactly the same way as any other form of smoking, i.e. they are not permitted to be smoked in NHS buildings or grounds.

5.3 This aspect of the policy i.e. regarding e-cigarettes will require to be routinely updated as any changes in the regulation of e-cigarettes occur.

## **6. Policy Exceptions**

6.1 The exceptions are as follows:

- In-patients within Mental Health Services – as they are currently exempt from the required National Tobacco Control Strategy action. Mental Health Services will continue to actively support choices of harm reduction and cessation
- Long stay continuing care patients – as this is considered to be their home

Note – risk assessments require to be carried out in these areas where there are policy exceptions to ensure that employee exposure to second hand smoke is reduced by adopting safer systems of working.

## **SECTION RELATING TO STAFF**

### **7. Statement**

7.1 NHS Dumfries & Galloway is a responsible employer and as such moving to a smoke free environment is essential in fulfilling its health improvement role.

7.2 Staff must fully comply with the policy and provide a suitable role model for other staff and patients.

7.3 While this policy makes it clear that staff must not smoke on hospital or any other NHS Grounds i.e. health centres across the region or in uniform/working clothes during working hours, staff must also take responsibility for finding out and adhering to their own departmental guidance as to when it is appropriate for them to smoke.

### **8. Responsibilities**

#### ***Employees***

- To comply with the Policy as part of the terms and conditions of employment and to support its implementation with other staff, patients and visitors

#### ***Managers/Supervisors***

- To support any employee who expresses a desire to stop smoking and to ensure that the Policy is being adhered to in his/her area of responsibility. To handle any breaches in a considered and thoughtful manner

#### ***Workforce Directorate***

- To provide support and advice to managers to help them to apply the Policy effectively, monitor breaches and include a briefing on the Policy at staff induction

### ***Staff Side Representatives***

- To provide support and advice to their members, ensuring that the Policy is applied appropriately

### ***Smoking Matters Service and Occupational Health***

- To provide information and advice to staff who wish to stop smoking

## **9. Staff smoking in uniform/working clothes**

9.1 Staff who smoke in uniform/working clothes should be aware that this action contravenes the NHS Dumfries and Galloway Staff Uniform Policy and undermines the health improvement message of NHS Dumfries & Galloway. Smoke on uniforms/working clothes may compromise the comfort of both patients and other colleagues. As such smoking in uniform/working clothes will not be permitted.

## **10. Staff breaks**

10.1 Staff may smoke only during official breaks (as specified in Agenda for Change) and only out with NHS Dumfries and Galloway buildings, grounds and vehicles and not in uniform/working clothes. Additional breaks out with the Agenda for Changes Conditions of Service will not be granted to facilitate smoking.

## **11. Staff smoking in vehicles**

11.1 No member of staff will be permitted to smoke in NHS Transport and Pool vehicles.

11.2 No member of staff will be permitted to smoke in personal leased vehicles during working hours.

11.3 Staff will not be permitted to smoke in privately owned vehicles while these vehicles are on NHS Dumfries and Galloway grounds or while using these on business when carrying a passenger as this constitutes the passenger's workplace and they should not be exposed to second hand smoke.

## **12. Staff undertaking home visits (also refer to section 21)**

12.1 In order to protect NHS staff from second hand smoke, patients should abstain from smoking one hour before and during the visit from the staff member. This should be notified to the patient by each department, prior to their member of staff undertaking this visit. Patients have the responsibility to provide a smoke free environment to staff. Visits may be terminated if patients or families refuse this request and this should be reported by the member of staff on DATIX.

## **13. Equality and Diversity**

13.1 The application of this policy will be implemented on an equitable basis to ensure fair treatment of all employees irrespective of sex, race, age, disability, sexual orientation, ethnic origin, religion or belief.

## **GUIDANCE FOR LINE MANAGERS ON DEALING WITH STAFF**

### **14. Statement**

14.1 Staff breaching this policy will, in the first instance, be supported by their line manager. This support may take the form of a discussion around referral to the Smoking Matters Service or Community Pharmacy Service.

14.2 Where staff are finding it difficult to manage their smoking at work they may be offered a prescribed product for a time limited period. This will be subject to certain criteria with regard to smoking status.

14.3 If, after an informal period of discussion and support the member of staff continues to breach the policy, this will be dealt with by the line manager under the Management of Employee Conduct PIN.

Note – Contractors and other visitors breaching the policy will be reminded about the importance of compliance with the policy and will be directed to non-NHS grounds where they are permitted to smoke. Similar to staff, they can also access the Smoking Matters Service and Community Pharmacy Services.

## **SECTION RELATING TO PATIENTS**

### **15. Statement**

15.1 Patients are not permitted to smoke in NHS Dumfries & Galloway buildings or grounds apart from the exceptions detailed in section 6.

### **16. Communication regarding the policy**

16.1 Patients will be advised on the Smoke Free Grounds policy prior to attending any NHS Dumfries and Galloway establishment via appointment letters or phone calls.

### **17. Patients electing to leave NHS premises to smoke**

17.1 Patients who choose to leave NHS Dumfries and Galloway buildings and grounds to smoke will not be accompanied by staff. Any patient known to be considering this should be advised of the potentials risks associated with leaving the clinical area.

### **18. Patients smoking in vehicles**

18.1 Patients will not be permitted to smoke in privately owned vehicles while these vehicles are on NHS Dumfries and Galloway grounds.

### **19. Arrangements during hospital stay**

19.1 Either as a means of abstaining from smoking during their stay or stopping smoking, all smokers will be asked if they smoke on admission and will be given information about our local Integrated Care Pathway. This pathway involves a patient being recorded on admission as a smoker and offered options to manage their smoking while in hospital and the offer of a brief advice discussion with a member of the Smoking Matters team. Patients who are recorded as a smoker will be given a copy of a Patient Information leaflet for their stay in hospital.

## **20. Arrangements on discharge**

20.1 Subject to the Integrated Care Pathway being followed, patients who have agreed to be followed up by Smoking Matters will be recorded on the Discharge information.

## **21. Patients being visited by NHS staff at home**

21.1 Patients and their families will receive notification from the department from whom they will be receiving a visit to inform them that they should refrain from smoking for an hour prior to the expected visit and during the visit.

21.2 The member of staff may decline from treating the patient if this is not adhered to. Any such incident must be recorded by the member of staff on DATIX.

## **22. Patients who breach the policy**

22.1 The clinician in charge of a patient who repeatedly breaches the policy will be informed of such breaches and will make a decision as to whether this may compromise their medical treatment.

## **SECTION RELATING TO THE PUBLIC**

### **23. Statement**

23.1 The public are not permitted to smoke in NHS Dumfries & Galloway premises/grounds.

### **24. Communication regarding the policy**

24.1 A communications plan accompanies this policy and at appropriate junctures, and using the most appropriate communication method e.g. newspapers, radio, social media etc, the public will be reminded about this policy.

### **25. Public smoking in vehicles**

25.1 Members of the public will not be permitted to smoke in privately owned vehicles while these vehicles are on NHS Dumfries and Galloway grounds.

## **GUIDANCE FOR STAFF ON DEALING WITH PATIENTS AND PUBLIC**

### **26. Statement**

26.1 NHS Dumfries & Galloway recognises that this policy represents a large cultural change and may attract some opposition. Experience from other health boards with smoke free policies is that smoke free policies can be implemented in health settings successfully and with minimal disruption.

26.2 Every opportunity should be taken to inform patients and public on the smoke free grounds policy, with the emphasis being placed on the issue of exposing others to second hand smoke rather than trying to get people to stop smoking.

## **27. Assessing the risk of violence to staff and other service users**

27.1 At all times staff should carefully consider the risk of violence or aggression when implementing this policy. If the staff member is concerned that the person may react in a way that puts him/her or other service users at risk then the member of staff should take no steps that would exacerbate matters and consider contacting the police if there are risks to public safety associated with non-compliance with the policy. The staff member should immediately report his/her concerns to their Manager. Staff should refer to the NHS Dumfries and Galloway Violence and Aggression at Work Policy.

### **ADDITIONAL SUPPORTING DOCUMENTATION**

Policy Approval Checklist ✓

Equality & Diversity Impact Assessment ✓

Guidance for Managers on implementing the Smoke Free Policy (including support for staff) dated 3<sup>rd</sup> December 2014 ✓

Frequently Asked Questions dated 3<sup>rd</sup> December 2014 ✓

Integrated Care Pathway for Patients ✓

Home Visit Leaflet ✓

## NHS DUMFRIES AND GALLOWAY POLICY APPROVAL CHECKLIST

This checklist must be completed and forwarded with the policy to the appropriate approval group

**POLICY TITLE:** Smoke Free

**POLICY NO.** .....

**EXECUTIVE LEAD:** Chief Executive

<b>Why has this policy been developed?</b>		The Smoke Free Policy has been developed to support the Scottish Governments requirement for all NHS Dumfries and Galloway sites (buildings and grounds) to be smoke free from 31 <sup>st</sup> March 2015. We are a health promoting organisation and are committed to protecting and improving the health and wellbeing of all patients, visitors and staff. Allowing smoking on our sites is not consistent with this message.	
<b>Has the policy been developed in accordance with or related to legislation? Please give details of applicable legislation.</b>		The Smoke Free Policy supports NHS Dumfries and Galloway to meet its legal requirements set out in the Smoking, Health and Social Care (Scotland) Act 2005. Under the Health and Safety at Work Act NHS Dumfries and Galloway have duty to take reasonable and practical measures to secure the safety and welfare of all employees. There is currently no legislative requirement for smoke free NHS grounds.	
<b>Has a risk control plan been developed? Who is the owner of the risk?</b>		Risks will be managed through the DATIX reporting system.	
<b>Who has been involved/consulted in the development of the policy?</b>		Staff Side through Joint Negotiating Committee and participation in Working Group, General Managers, Management Team	
<b>Has the policy been assessed for equality and diversity in relation to:-</b>		<b>Has the policy been assessed for Equality and Diversity not to disadvantage the following groups:-</b>	
Race/Ethnicity	Yes	Minority Ethnic Communities	Yes
Gender	Yes	Women and Men	Yes
Age	Yes	Religious & Faith Groups	Yes
Religion/Faith	Yes	Disabled People	Yes
Disability	Yes	Young People	Yes
Sexual Orientation	Yes	L, G, B & T Community	Yes
<b>Does the policy contain evidence of the Equality &amp; Diversity Impact Assessment Process?</b>		YES	
<b>Is there an implementation plan?</b>		YES	
<b>When will the policy take effect?</b>		From 31 <sup>st</sup> March 2015	
<b>If the policy applies to partner agencies,</b>		N/A. The Policy applies to all staff and users	

<b>please explain the reasons for this and how they will be informed of their responsibilities</b>	of NHS Dumfries and Galloway services.
<b>Is any training required?</b>	There is smoking brief intervention/advice training available for staff. Guidance for Managers has been produced.
<b>If yes, has any been arranged?</b>	Training is available via the Smoking Cessation Service.
<b>Are there any cost implications?</b>	There are costs associated with signage and the removal of smoking shelters. There may be costs associated with increased quit smoking attempts.
<b>If yes, please detail costs and note source of funding</b>	Costs to be confirmed. Awaiting guidance from Scottish Government on requirements for signage.
<b>If the policy has to be reviewed other than bi-annually please state the reasons for this.</b>	As this is a new policy there will be a requirement to monitor the impact on staff, patients and visitors. Any impacts identified may inform the requirement for a review outwith the bi-annual protocol. As further evidence emerges for example; in relation to the use of e-cigarettes there may be requirement to review the policy.
<b>Who will review the policy? (please give designation)</b>	Smoke Free Working Group in partnership with Staff Side and Management Team will be responsible for reviewing the Smoke Free Policy

**Name:** Philip Myers

**Date:** 3<sup>rd</sup> December 2014